

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER NO. R2-2003-0110

UPDATED WASTE DISCHARGE REQUIREMENTS

AND RESCISSION OF ORDER NUMBERS 78-76, 86-014, AND 87-037 FOR:

**VINE HILL COMPLEX – CLASS I HAZARDOUS WASTE MANAGEMENT FACILITY
IT CORPORATION AND VINE HILL PROPERTIES LLC, MARTINEZ,
CONTRA COSTA COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter called the Board), finds that:

SITE OWNER AND LOCATION

1. Vine Hill Properties LLC currently owns and IT Corporation (IT) currently operates the Vine Hill Complex (VHC) Class I Hazardous Waste Management Facility. IT is hereinafter referred to as the Discharger. The VHC consists of two properties (sites) separated by Pacheco Creek. The sites are referred to individually as the Vine Hill site and the Baker site. The VHC is situated close to the intersection of Interstate 680 and California State Highway 4, just east of the City of Martinez as shown in Figure 1.

The 40-acre Vine Hill site is located at 896 Waterbird Way, Martinez, California, northwest of Pacheco Creek. Access to the Vine Hill site is obtained via Waterbird Way at the western portion of the site. The Baker site originally covered approximately 130 acres of the VHC and is located at 5030 Imhoff Drive, Martinez, California, between Pacheco Creek and Walnut Creek. Following the completion of closure activities, the Baker site now consists of a landfill (Baker landfill) and support facilities that take up approximately 26 acres on a 30-acre parcel.

The Vine Hill site is bounded on three sides by property owned by Acme Fill Corporation. The Martinez Gun Club is located adjacent to the southern boundary. The Baker site was originally bounded by IT land holdings to the south and north, however these properties were sold to U.S. Development in late 2001 and Gonsalves & Santucci, Inc. in 2002. None of the adjacent property is currently developed or being utilized for commercial/industrial purposes.

PURPOSE OF POST-CLOSURE ORDER

2. The primary objective for this order is to revise existing Waste Discharge Requirements (WDRs) to account for the completion of closure of what was formerly an operating hazardous waste facility. Compliance with these revised WDRs will be monitored and enforced by the Department of Toxic Substances Control (DTSC), as lead state agency for the facility. The order requires continued surface and groundwater monitoring and reporting in compliance with the requirements Article 5, Chapter 15, Division 3, Title 23 of the California Code of Regulations (CCR) for as long as the wastes pose a threat to water quality.

REGULATORY HISTORY

3. On September 22, 1978, the Board adopted WDR Order No. 78-76 for the operation and monitoring of the Vine Hill and Baker sites. In January of 1985, the Board issued Cleanup and Abatement Order (CAO) No. 85-004 requiring hydrogeologic investigations and an evaluation of the extent of groundwater impacts at the VHC. This CAO was complied with and additional tasks were identified leading to the issuance of CAO No. 86-014 in 1986, which subsequently rescinded CAO No. 85-004. IT also complied with all elements of the CAO No. 86-014. In March of 1987, the Board issued IT a Cease and Desist Order (CDO No. 87-037) for the solidification of the hazardous waste ponds on site to comply with the Toxic Pits Cleanup Act (TPCA). The intent of this 1987 CDO has been met through initial pond solidification activities and eventual site closure.
4. IT submitted Closure and Post-Closure Plans to the DTSC and the Board for review in 1995. A number of revisions to these plans were made during the course of agency review and implementation. The VHC closure plan was approved by DTSC on November 17, 1995. Components of the Closure Plan included waste treatment and consolidation, capping of the waste consolidation landfills, subsurface containment (slurry walls) and groundwater collection trenches around both waste consolidation landfills, and the construction of an onsite evaporation basin and treatment plant to manage recovered groundwater. Closure construction was completed in 1998 and DTSC approved the closure in June of 1999.
5. The DTSC has been identified as the sole authority for implementing hazardous waste facility regulation and permitting for this facility under Section 25204.6 (a) (b) (1) (2) of the California Health and Safety Code. DTSC has the lead to implement the requirements of this Order, including the authority to clean up or abate the effects of a release of a hazardous substance pursuant to Section 13304 of the Water Code.

GEOLOGY AND HYDROGEOLOGY

6. The IT VHC is situated within the Coast Range geomorphic province that is characterized by a series of northwest-southeast trending mountains and valleys that parallel the California coast for most of its length. The Coast Range province has undergone a complex geologic history, including periods of sedimentation, folding, faulting, uplift, and erosion. The VHC site is further situated within Ygnacio Valley and adjacent to tidal marshlands south of Suisun Bay, about 1½ miles upstream of the mouth of Walnut Creek. The topography of this portion of Ygnacio Valley is relatively flat with two hills near the VHC having an elevation of approximately 150 feet relative to mean sea level (msl). The VHC site is situated on a low-lying knoll that rises to an elevation of approximately 25 feet msl. The Concord fault, a right-lateral strike slip fault, is mapped north and east of the Baker landfill.

7. Hydrostratigraphic Units: There are three hydrostratigraphic units beneath the VHC. From youngest to oldest they are:

- Younger Bay Mud
- Older Bay Mud which includes an upper clay stratum and a lower sand stratum
- Bedrock

Artificial fill overlies the uppermost hydrostratigraphic unit, which consists of Younger Bay Mud. The Younger Bay Mud is a low-permeability, soft organic clay and silt, with peat layers. At the Vine Hill site it reaches a maximum thickness of about 47 feet on the east side and has a typical hydraulic conductivity ranging from 1×10^{-5} to 1×10^{-6} centimeters per sec (cm/s). Furthermore, sand stringer beds within the Younger Bay Mud occur along the western side of the Baker site and at the extreme northeastern perimeter of the Vine Hill site.

Underlying the Younger Bay Mud is the Older Bay Mud, characterized as a low-permeability, stiff clay with a typical hydraulic conductivity at the VHC ranging from 2×10^{-5} to 2×10^{-6} cm/s, and reaching a maximum thickness of about 37 feet on the east side, away from the bedrock high. At the Baker site it occurs approximately 10 to 15 feet below the landfill. The Older Bay Mud acts as a confining unit for the underlying lower sand stratum.

The lower sand stratum is comprised of sand and gravel with some interbeds of clayey sand reaching a maximum thickness of 20 feet at the Vine Hill site, however thickening to the east and north to a maximum of approximately 180 feet, north of the Baker landfill.

The lower sand stratum is much more permeable than the other hydrostratigraphic units with a typical hydraulic conductivity of about 3×10^{-3} cm/s.

The bedrock consists of interbedded siltstones, mudstones, and fine-grained sandstones that dip steeply to the southwest. The upper portion of the bedrock is weathered and more permeable. At the Vine Hill site, it has a typical hydraulic conductivity ranging from 3×10^{-4} to 2×10^{-6} cm/s. Bedrock is shallow at the western side of the Vine Hill site (bedrock high) and was the primary source of recharge to both bedrock and adjacent sediments prior to site closure. The installation of a low permeability cover and collection trenches inhibit further recharge from this unit. At the Baker site, bedrock is found at depths ranging from 70 to 200 feet below ground surface, and is not a zone that currently requires monitoring.

The hydrostratigraphic units identified above are hydraulically interconnected such that they constitute the uppermost aquifer underlying the facility. Hydraulic interconnection can occur via preferential pathways and at contacts between Bedrock and Bay Mud units.

8. The Vine Hill site originally consisted of a number of types of waste management units (WMUs), including 11 surface impoundments, an oil recycling facility, a permitted drum storage area, a treatment plant for treatment of liquid wastes, and an incinerator for destruction of vapors and limited quantities of waste fuels from the treatment plant. With the completion of closure, all Vine Hill WMUs were closed, with treated waste materials placed in a consolidation landfill (Vine Hill landfill). An onsite treatment system for oil/water separation was constructed along with a lined two-celled evaporation basin for management of recovered groundwater. The entire Vine Hill site is contained by a subsurface slurry wall, with groundwater recovery from a collection trench gallery inside the wall. Figure 2 shows the post-closure configuration of the Vine Hill site.

The Baker site included 7 surface impoundments covering a total of over 110 acres. During closure, all wastes and contaminated subsoils were excavated and placed in an onsite consolidation landfill of approximately 26 acres. As with Vine Hill site, the Baker landfill is also completely contained by a subsurface slurry wall. A perimeter groundwater collection trench extends around the Baker landfill and inside this containment wall removing groundwater impaired by waste. Recovered groundwater is transferred via pipeline to the Vine Hill evaporation basin. Results of an intensive testing of subsoils both prior to and after excavation were utilized to verify that cleanup objectives had been met in all areas other than the consolidation landfill. Following DTSC approval of cleanup activities in December of 1998, the excavation areas were backfilled with clean inert fill. Figure 3 shows the configuration of the closed Baker site.

Discharges from both the Vine Hill and Baker sites are managed by an engineered stormwater drainage ditch system. Drainage from the Vine Hill site flows offsite through a pipeline at the Southeast corner of the site. Drainage from the Baker site discharges from drainage ditches at two locations on the western and northwestern edges of the site. Discharge points are shown on Figures 2 and 3.

9. Continuing post-closure operations at the facility include: management of recovered groundwater and site generated waste; long-term monitoring, maintenance of containment systems; and stormwater management. Water quality is protected by the implementation of these measures.

WASTES AND THEIR CLASSIFICATION

10. The Vine Hill site began receiving primarily municipal wastes in 1951, while under a previous site owner. Activities also involved management of used oils, including an oil reprocessing plant. Treatment of industrial chemical waste began in the mid-1960s. During active operation, the site received wastes generated from the production or manufacturing of petroleum products, ferrous and nonferrous metals, electronics equipment and components, pharmaceuticals, resins, paints and pigments, food processing, metal finishing, photo finishing, and analytical laboratories.

The Baker site was acquired and developed by IT in 1971. The site consisted of impoundments for the evaporation of waste liquids. Normally trucks discharged their loads at the Vine Hill portion of the Complex and liquids were transferred to the Baker impoundments via pipeline. Occasionally liquid wastes were received directly into the impoundments at the Baker site. The Baker site design was primarily for volume reduction via evaporation.

11. Analyses of wastes at the VHC indicate that solidified waste materials contain oil and grease, volatile aromatic hydrocarbons, chlorinated volatile organic compounds and some heavy metals (lead, chromium, copper, and vanadium). Tetraethyl lead is also present in certain solidified wastes at the Vine Hill landfill. The solidified wastes in the Baker landfill generally contain concentrations well below those of the Vine Hill landfill.

SURFACE AND GROUNDWATER

12. Surface Water: The Vine Hill site system includes ditches excavated around the edges of the closure cell and evaporation basin, and pipes to convey water from the terminus of these ditches to Pacheco Creek. The system is designed both to remove surface runoff from the landfill and to prevent surface run-on from contact with previously disposed waste, contaminated soils, or other materials that could potentially degrade water quality. The groundwater treatment plant is surrounded by secondary containment that drains to the evaporation basins.

The Baker site closure landfill cover and surface-water control systems are also designed to prevent runoff from contacting wastes, contaminated soils, or other materials that could potentially degrade surface water quality making surface water impairment from runoff unlikely. Therefore, impairment of the creeks during post-closure would most likely result from subsurface migration of waste constituents or a significant break in the recovered groundwater conveyance system. As with the Vine Hill site, groundwater-pumping systems are routinely inspected and maintained to minimize the potential for release of recovered groundwater from the collection and conveyance system.

Discharges from both the Vine Hill and Baker sites are managed under the General Industrial Storm Water Permit (NPDES Permit No. CAS000001).

13. Groundwater: Both sites have groundwater containment systems surrounding the solidified wastes. The perimeter slurry walls and recovery trenches are cut through the fill and are keyed into the Younger Bay Mud, except at the southern portion of the Vine Hill site where they are keyed into the shallow bedrock.

At the Vine Hill site, horizontal groundwater gradients are generally radial away from areas containing artificial earth fill on poorly consolidated organic clay. In areas where there is no fill loading, the horizontal gradients are very small. Groundwater gradients in the Younger Bay Mud are not generally mapped as the groundwater collection trenches

have created narrow zones of drawdown within/near the slurry wall. Further, loading of the soils both onsite and on adjacent properties has a significant impact on water levels. External of the slurry wall, shallow groundwater flow is generally toward the southeast corner of the site, with flow radiating southeast from the southern boundary and east from the eastern boundary. Flow velocities are generally very low, generally 0.01 to 0.1 feet per year.

At the Baker site, groundwater recovery systems and the slurry wall in the Younger Bay Mud have created an inward gradient around the entire perimeter of the landfill.

Flow in the Older Bay Mud at the Vine Hill site has been mapped as moving to the northeast, while at the Baker site flows toward the north. The regional flow velocity in this area is estimated up to 30 feet/year. Wells screened within bedrock at the Vine Hill site and external to the groundwater containment system, flows southeastward in the area of PCW-419 and westerly from MW-228 (Figure 2). There are no wells screened within bedrock at the Baker site. Because water levels in bedrock are generally below sea level, bedrock flow is modeled as discharging to the overlying Older Bay Mud.

14. Groundwater Degradation: Groundwater beneath the Baker site is currently monitored as part of a detection-monitoring program while the Vine Hill site is currently in corrective action monitoring. The known impacts to the upper groundwater-bearing zone at the Vine Hill site include the following:
 - Volatile organic compounds have been detected in some shallow zone wells beneath and immediately adjacent to the Vine Hill site; including 1,2-Dichloroethane, 4-Methyl-2-pentanone, Benzene, and Tetrahydrofuran during the 2002 monitoring events.
 - Contaminants that were detected in 2002 in the lower hydrostratigraphic units, the Older Bay Mud and deeper bedrock, are benzene, 1,2-DCA, and vinyl chloride; Tetrahydrofuran, and 4-Methyl-2-Pentanone.
 - Both arsenic and acetone are found in background groundwater wells at the site at somewhat elevated concentrations.

BASIN PLAN

15. The Regional Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on June 21, 1995. This updated and consolidated plan represents the Board's master water quality control planning document. The State Water Resources Control Board and the Office of Administrative Law approved the revised Basin Plan on July 20 and November 13, respectively, of 1995. A summary of regulatory provisions is contained in Title 23 of the California Code of Regulations at Section 3912. The Basin Plan defines beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater.

State Board Resolution No. 89-39, "Sources of Drinking Water," defines potential sources of drinking water to include all groundwater in the region, with limited exceptions for areas containing high total dissolved solids (TDS), high background contaminant levels, or those areas with a low-yield. Any groundwater meeting the Resolution No. 89-39 requirements of TDS concentrations below 3000 mg/L, electrical conductivities below 5,000 uS/cm, and with production yields greater than 200 gallons per day will be considered a potential drinking water source.

BENEFICIAL USES

16. The beneficial uses for Suisun Bay in the vicinity of the site are as follows:
 - Commercial and sport fishing;
 - Estuarine and wildlife habitat;
 - Brackish and salt water marshes;
 - Industrial service and process supply;
 - Fish migration and spawning;
 - Preservation of rare and endangered species;
 - Contact and non-contact recreation;
 - Shell fish harvesting; and,
 - Navigation.
17. The beneficial and potential beneficial uses for Walnut Creek and Pacheco Creek in the vicinity of the site are as follows:
 - Wildlife habitat;
 - Fish migration and spawning;
 - Both cold and warm freshwater habitat; and,
 - Contact and non-contact recreation.
18. The potential beneficial uses for groundwater in the vicinity of the site are as follows:
 - Industrial process and service water supply;
 - Agricultural supply;
 - Freshwater replenishment, and,
 - Discharge to Suisun Bay.

All groundwater meeting State Board Resolution No. 89-39 has the beneficial use of municipal and domestic supply.

SURFACE AND GROUNDWATER MONITORING

19. Surface waters near the Vine Hill site have been monitored pursuant to the Self-Monitoring provisions of Order No. 78-76, although changed site conditions have rendered this program obsolete. Surface water discharges at both Vine Hill and Baker are managed under the General Industrial Storm Water Permit (NPDES Permit No. CAS000001) and the associated Stormwater Pollution Prevention Plans for the facility.

20. The Vine Hill site is currently in a corrective action program for groundwater monitoring and containment. The current monitoring program includes a number of elements of previous Regional Water Quality Control Board (RWQCB) approved programs as modified by DTSC. A final program was included in DTSC's approval of IT's Post-Closure Permit application, subject to some refinement as the final groundwater investigation is completed. The Baker site is in a detection monitoring program that is also specified in the DTSC-approved post-closure permit application.

The post-closure program and any future refinements will be specified and administered by DTSC. Therefore, no Self-Monitoring Program is specified in this Order.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

21. The Department of Toxic Substances Control has certified a final Environmental Impact Report (FEIR) in 1995 for the closure and post-closure plans for the IT Vine Hill Complex in accordance with the California Environmental Quality Act. Geologic, hydrogeologic and engineering evaluations were evaluated to select the preferred options to reduce potential for impacts to the environment. The Board in this Order has considered the FEIR and closure measures described therein relating to protection of surface water and groundwater.

PUBLIC NOTICE

22. The Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge, and provided them with an opportunity for a public hearing and to submit their written views and recommendations.

PUBLIC MEETING

23. The Board in a public meeting heard and considered all comments pertaining to the site.

IT IS HEREBY ORDERED that the Discharger, their agents, successors and assigns, shall meet the applicable provisions contained in Title 23, Division 3, Chapter 15 (Chapter 15) of the California Code of Regulations and Division 7 of the California Water Code, and shall comply with the following:

A. PROHIBITIONS

1. Waste shall not be in contact with ponded water from any source whatsoever.
2. The site is regulated as a closed facility. Therefore, no further waste shall be deposited nor stored at the site with the exception of waste generated by the facility and stored under DTSC permit.
3. Neither the treatment, relocation, nor discharge of waste shall create a condition of pollution, contamination, or nuisance as defined in Sections 13050 or 13263 of the California Water Code (CWC) or California Health and Safety Code Section 5411.
4. Waste shall not be relocated to any position where they can be carried from the disposal site and discharged into waters of the State or of the United States.
5. Leachate from wastes and ponded water containing leachate or in contact with waste shall not be discharged to waters of the State or of the United States unless specifically authorized.
6. The Discharger, or any future owner or operator of this site, shall not cause the following conditions to exist in waters of the State at any place outside the waste management facility:
 - a. Surface Waters:
 - Floating, suspended, or deposited macroscopic particulate matter or foam;
 - Bottom deposits or aquatic growth;
 - Adversely alter temperature, turbidity, or apparent color beyond natural background levels;
 - Visible, floating, suspended or deposited oil or other products of petroleum origin; and,
 - Toxic or other deleterious substances to be present in concentrations or quantities which may cause deleterious effects on aquatic biota, wildlife or waterfowl, or which render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentrations.
 - b. Groundwater:
 - The groundwater shall not be further degraded as a result of any waste relocation; and
 - Containment of existing groundwater impacts shall be addressed through implementation of DTSC's approved and post-closure plan and related CME work plans.

B. SPECIFICATIONS

1. All reports pursuant to this Order and/or post-closure monitoring at the VHC shall be prepared under the supervision of a California registered civil engineer or California registered geologist.
2. Final cover systems shall be maintained to promote lateral runoff and prevent ponding and infiltration of water.
3. Surface drainage shall not contact nor percolate through wastes during the post-closure life of the site. Drainage courses constructed over final capped wastes shall be maintained to provide continued protection from infiltration and/or contact of wastes and surface waters.
4. The site shall be protected from any washout or erosion of wastes from inundation that could occur as a result of flooding with a return frequency of 100 years. The waste management unit and containment structures shall be constructed and maintained to prevent, to the greatest extent possible, inundation, erosion, slope failure, washout, and overtopping under 100 year, 24-hour precipitation conditions.
5. The existing groundwater extraction trench shall be inspected monthly or more frequently, as necessary, and any excess accumulated fluid removed.
6. The Discharger shall monitor the site pursuant to the program established by DTSC. This facility has two sites: one that is currently in Corrective Action Monitoring and one that is currently in Detection Monitoring.
7. The Discharger shall install any reasonable additional groundwater and leachate-monitoring devices required to fulfill the terms of any future monitoring programs as determined by DTSC or specified by this Board at the request of DTSC.
8. Landfill gases shall be adequately vented, removed from the landfill, or otherwise controlled to minimize danger of explosion, adverse health effects, nuisance conditions, or the impairment of beneficial uses of water's of the State.
9. This Board considers the Discharger to have continuing responsibility for correcting any problems which arise in the future as a result of this waste discharge or related operations during the post-closure maintenance period.
10. The Discharger shall maintain all devices or designed features, installed in accordance with this Order and post-closure permit as approved by DTSC, such that these devices continue to operate as intended without interruption.
11. The Discharger shall maintain two Baker site and four Vine Hill site survey monuments

near the waste management units from which the location and elevation of wastes, containment structures, and monitoring facilities can be determined throughout the post-closure maintenance periods. These monuments shall be evaluated at least annually by a licensed land surveyor or registered civil engineer.

12. The Discharger shall maintain and monitor all operations and containment systems at the VHC, including all waste management units: (1) so as not to cause any further release to surface or groundwater; and (2) in order to achieve the corrective action goals established in the Post-Closure Permit and Monitoring Program. The Discharger shall also maintain and monitor all operations and containment systems at the facility so as not to cause any new release or impact on water quality at the point of compliance. In the event these existing features are found to be ineffective at resolving impairments of groundwater or surface water, the Discharger may be required to take additional corrective actions.
13. The Discharger shall assure that the foundation of the site, the waste management units, and the structures (including future site structures) which control groundwater/leachate, surface drainage, erosion, and gas are maintained to relevant engineering criteria, including the ability to withstand conditions generated during the maximum probable earthquake. Furthermore, new structures shall be constructed and maintained in compliance with approved engineering criteria.
14. The Dischargers are subject to the performance standards adopted by the California Integrated Waste Management Board for post-closure land uses, which specify that devices and features installed in accordance with this Order are designed, maintained, and continue to operate as intended without significant interruption.
15. The DTSC shall be notified immediately of any structural failure occurring at the site. Any failure that threatens the integrity of containment features or the waste management units shall be promptly corrected following approval by the DTSC.

C. PROVISIONS

1. The Discharger shall comply with all Prohibitions, Specifications and Provisions of this Order. All required submittals must be acceptable to the DTSC and the Board's Executive Officer. The Discharger must also comply with all conditions of these Waste Discharge Requirements. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board [CWC Section 13261, 13263, 13265, 13267, 13268, 13300, 13301, 13304, 13340, and 13350].
2. All technical and monitoring reports submitted in accordance to this Order are being requested pursuant to Section 13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order or the DTSC, or failure to

submit a report of sufficient technical quality to be acceptable to the Executive Officer may subject the Discharger to enforcement action pursuant to Section 13268 of the California Water Code.

3. In addition to printed submittals, each report shall be accompanied with a CD-ROM containing a single, electronic copy of the report in PDF format. The Regional Board has implemented a document imaging system, which is ultimately intended to reduce the need for printed report storage space and streamline the public file review process. Documents in the imaging system may be viewed, and print copies made by the public during file reviews conducted at the Regional Board's office. PDF files can be created by converting the original electronic file formats and/or by scanning printed text, figures, tables, photos, field data sheets, etc.
4. The Discharger shall immediately notify the DTSC of any flooding, equipment failure, slope failure, or other change in site conditions that could impair the integrity of waste or groundwater/leachate containment facilities or precipitation and drainage control structures.
5. The Board considers the property owners(s) to have continuing responsibility for correcting any problems that arise in the future as a result of waste discharged or related activities.
6. The Discharger shall permit the DTSC or its authorized representative, upon presentation of credentials, during normal business hours:
 - a. Immediate entry upon the premises on which wastes are located or in which any required records are kept;
 - b. Access to copy any records required to be kept under the terms and conditions of this Order;
 - c. Inspection of treatment equipment, monitoring equipment, or monitoring methods required by this Order or my any other California State Agency; and,
 - d. Sampling of any discharge or groundwater governed by this Order.
7. The Discharger shall notify the succeeding owners or operators of this Order by letter in the event of any change in control, ownership of land, or waste discharge facilities presently owned or controlled by the Discharger. The Discharger must notify the Executive Officer, in writing, at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger. The notice must include a written agreement between the existing Discharger and the new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current Discharger and the new discharger. This agreement shall include an acknowledgment that the existing Discharger is liable for violation up to the transfer date and that the new discharger is liable from the transfer date on [CWC Sections 13267 and 13263]. The request must contain the requesting entity's full legal name and the address

and telephone number of the persons responsible for contact with the Board. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code.

8. Where the Discharger becomes aware that they failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board or the DTSC, the Discharger shall promptly submit such facts or information [CWC Sections 13260 and 13267].
9. Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.
10. The Discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order [CWC Section 13263 (f)].
11. Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and, (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State Toxic Disaster Contingency Plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the DTSC and this Regional Board of the discharge. This provision does not require reporting of any discharge of less than the reportable quantity as provided under subdivisions (f) and (g) of Section 13271 of the California Water Code unless the Discharger is in violation of a prohibition in the applicable Water Quality Control Plan [CWC Section 13271 (a)].
12. The Discharger shall report any noncompliance that may endanger health or the environment. Any such information shall be provided orally to the Executive Officer, or his/her designee, within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has been corrected; the

anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours [CWC Sections 13263 and 13268].

13. All monitoring instruments and devices used by the Discharger to fulfill any DTSC prescribed monitoring program shall be maintained and calibrated as necessary to ensure their continued accuracy.
14. The Discharger shall submit surface water/groundwater/leachate monitoring reports to the Board on an annual basis and to DTSC as specified by DTSC. These reports shall satisfy the requirements in Article 5, Chapter 15, Title 23 (CCR) as defined in the post-closure monitoring program as approved by DTSC. Each annual report shall also include a summary of any revision to the monitoring program approved by DTSC during the preceding year.
15. The Discharger shall maintain a copy of this Order at the site so as to be available at all times to site operating personnel [CWC Section 13263].
16. This Order does not convey any property rights of any sort or any exclusive privileges. These requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the Discharger from liability under federal, state, or local laws, nor do they create a vested right for the Discharger to continue waste discharge [CWC Section 13263 (g)].
17. This Order is subject to Board review and updating, as necessary, to comply with changing State or Federal laws, regulations, policies, or guidelines; changes in the Board's Basin Plan; or changes in the discharge characteristics.
18. This Board's Waste Discharge Requirements Order No. 78-76, Cleanup and Abatement Order No. 86-014 and Cease and Desist Order No. 87-037 are hereby rescinded.

I, _____, Executive Officer, do hereby certify that the foregoing is a full, complete, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on December 3, 2003.

Bruce Wolfe
Executive Officer

Attachments: Figure 1: General Site Location Map
Figure 2: Vine Hill Site Configuration
Figure 3: Baker Site Configuration

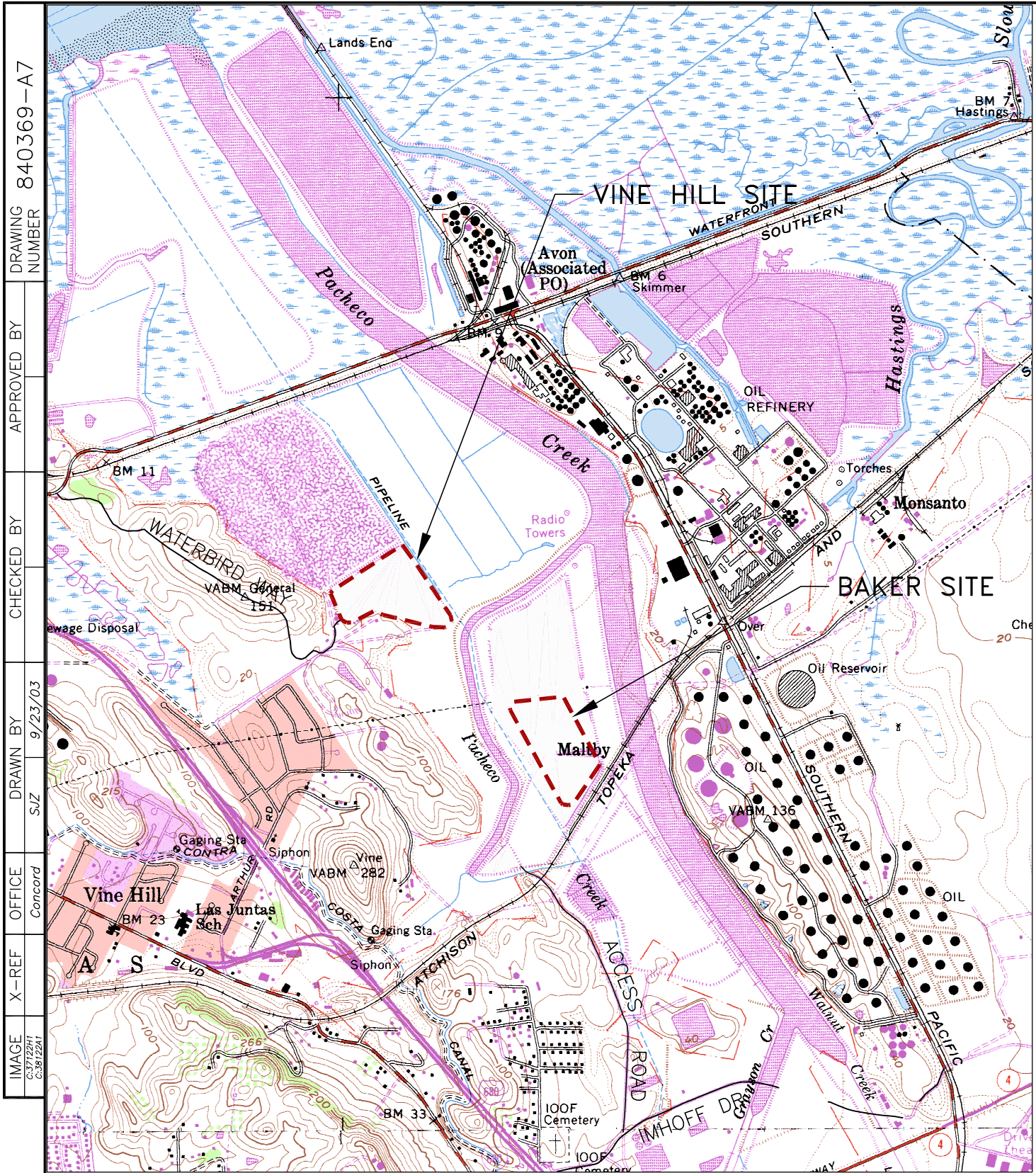
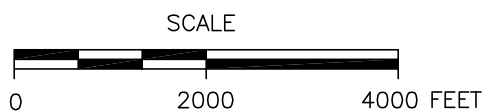


IMAGE	X-REF	OFFICE	DRAWN BY	CHECKED BY	APPROVED BY	DRAWING NUMBER
C-3712241 C-3812241	A	Concord	SUZ 9/23/03			840369-A7



REFERENCE:
7.5' USGS TOPOGRAPHIC QUADRANGLES OF "VINE HILL, CA" AND "WALNUT CREEK, CA" DATED: 1959, PHOTOREVISED: 1980; SCALE=1:24000



IT CORPORATION VINE HILL COMPLEX

FIGURE 1
VINE HILL COMPLEX
GENERAL SITE LOCATION MAP

IMAGE	---	CONCORD	---	DRAWN BY	9/23/03	CHECKED BY	---	APPROVED BY	---	DRAWING NUMBER	840369-B27
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